UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/848,902	05/19/2004	Lowell D. Palecek	RA5599(33012/379/101)	6027

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EXAMINER
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ART UNIT	PAPER NUMBER
2194	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 December 2007*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1. This action is in response to the amendment filed 12/17/2007.

2. Claims 1-21 have been examined and are pending in the application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by

Yeap U.S Publication No. 2007/0208758.

As to claim 1, Yeap teaches (Fig. 1 and associated specification) a method of

transferring data from a first application having a legacy data base with a first format to

a second application within a legacy data base management system employing a

second format which is incompatible with said first format comprising:

determining said first format associated with said data; ascertaining a location of

said data; packing an identifier of said format and an identifier said location into a

message having a predefined format (paragraphs 0006-0008, 0065, 0068 and 0076);

transferring said message from said first application to said second application;

unpacking said message to determine said format and said location; and accessing said

data by said second application using said indication of said format and said indication

of said location (paragraph 0056).

As to claim 2, Yeap further teaches said data further comprises a plurality of

data objects (paragraph 0020).

As to claim 3, Yeap further teaches said predefined format further comprises

Extended Markup Language (paragraph 0045).

As to claim 4, Yeap further teaches transferring via a publically accessible digital

data communication network (Fig. 1).

As to claim 5, Yeap further teaches said publically accessible digital data

communication network further comprises the Internet (Fig. 1).

As to claim 6, Yeap teaches an apparatus comprising:

a first application program located within a first computer and having a data base

with a first format (Fig. 1 and associated specification);

a second application program located within a second computer and having a

legacy data base with a second format which is incompatible with said first format

responsively coupled to said first application program (Fig. 1 and associated

specification);

a message having a preexisting format generated by said first application

program for transfer to said second application program (paragraph 0042);

a data object responsively coupled to said first application program having an

indication of a location and having a an indication of said second format (paragraphs

0006-0008, 0020, 0065, 0068, and 0076); and

wherein said message contains a definition of said location and said second

format (paragraphs 0065, 0068 and 0076).

As to claim 7, Yeap further teaches a publically accessible digital data

communication network wherein said first application program is responsively coupled

to said second application program via said publically accessible digital data network

(Fig. 1).

As to claim 8, Yeap further teaches said preexisting format further comprises

Extended Markup Language (paragraph 0045).

As to claim 9, Yeap further teaches a user terminal containing said first

application program (paragraphs 0019 and 0023).

As to claim 10, Yeap further teaches said publically accessible digital data

communication network further comprises the Internet (Fig. 1).

As to claim 11, Yeap teaches an apparatus comprising:

first application program means for providing a user interface (paragraph 0019

and 0023);

second application program means responsively coupled to said first application

program means for offering a data processing service (Fig. 1 and associated

specification);

data object means responsively coupled to said first application program means

having a location and a format (paragraphs 0006-0008, 0020, 0065, 0068, and 0076);

and

message generation means responsively coupled to said first application

program means for preparing a message having a preexisting format for transfer of said

location and format of said data object means from first application program means to

said second application program means (paragraphs 0065, 0068 and 0076).

As to claim 12, Yeap further teaches generating a second service request

(paragraphs 0063-0064).

As to claim 13, Yeap further teaches publically accessible digital data

communication network means for responsively coupling said first application

program means and said second application program means (Fig. 1).

As to claim 14, Yeap further teaches wherein said publically accessible digital

data communication network means further comprises the Internet (Fig. 1).

As to claim 15, Yeap further teaches said preexisting format further comprises

Extended Markup Language (paragraph 0045).

As to claim 16, Yeap teaches (Fig. 1 and associated specification) a data

processing system having a first application program located within a first computer and

having a data base with a first format responsively coupled to a second application

program located within a second computer and having a legacy data base with a

second format, the improvement comprising:

a data object having an indication of a location and an indication of said second

format (paragraphs 0006-0008, 0020, 0065, 0068, and 0076);

a message having a preexisting format for transfer from said first application

program to said second application program (paragraph 0042); and

wherein said message contains said location and format (paragraphs 0065, 0068

and 0076).

As to claim 17, Yeap further teaches a publically accessible digital data

communication network which responsively couples said first application program to

said second application program (Fig. 1).

As to claim 18, Yeap further teaches said publically accessible digital data

communication network further comprises the Internet (Fig. 1).

As to claim 19, Yeap further teaches a user terminal housing said first

application program (paragraphs 0019 and 0023).

As to claim 20, Yeap further teaches said preexisting format further

comprises Extended Markup Language (paragraph 0045).

As to claim 21, Yeap teaches an apparatus comprising:

a user terminal having a first application program (paragraphs 0019 and 0023);

a second application program responsively coupled to said first application

program via a publically accessible digital data network (Fig. 1 and associated

specification);

a message having a preexisting Extended Markup Language format generated

by said first application program for transfer to said second application program

(paragraphs 0042 and 0045);

a data object responsively coupled to said first application program having a

location and having a second format which is incompatible with said preexisting

Extended Markup Language (paragraphs 0006-0008, 0020, 0065, 0068, and 0076); and

wherein said message contains a definition of said location and said second

format (paragraphs 0065, 0068 and 0076).

Response to Arguments

4. Applicant's arguments filed 12/17/2007 have been fully considered but are

moot in view of the new ground(s) rejection.

Applicant's arguments presented issues which required the Examiner to further

view the previous rejection. The Examiner conducted a further search regarding the

issues mentioned in Applicant's response. Therefore, all arguments regarding the cited

references of the previous rejection are moot in view of the new grounds of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andy Ho whose telephone number is (571) 272-3762. A

voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571) 272-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIM) system. Status information for published applications may be obtained from either Private PAIR or' Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Any response to this action should be mailed to:

Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (571) 273 - 8300.

- OFFICAL faxes must be signed and sent to (571) 273 - 8300.

- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

/Andy Ho/

Examiner, Art Unit 2194